UNITED STATES DISTRICT COURT 1 EASTERN DISTRICT OF CALIFORNIA 2 3 4 5 GUILLERMO NUNO, Case No.: 1:21-cv-00769-SAB (PC) 6 Plaintiff. ORDER GRANTING PLAINTIFF'S MOTION 7 TO BE EXCUSED FROM ELECTRONICALLY v. FILING COMPLAINT 8 ESLICK, et al., (ECF No. 2) 9 Defendants. 10 11 12 13 Plaintiff Guillermo Nuno is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 14 1983. 15 16 Currently before the Court is Plaintiff's motion to be excused from electronically filing the complaint, filed on May 13, 2021. 17 On March 1, 2016, this Court issued a Standing Order for the United States District Court for 18 19 the Eastern District of California that describes a pilot program in which the Court and the California 20 Department of Corrections and Rehabilitation (CDCR) have agreed to participate in a program whereby initial pleadings submitted by prisoners in civil rights cases involving conditions of 21 confinement claims are electronically filed. As part of this pilot program, CDCR has agreed to 22

23

24

25

26

27

28

1

application to proceed in forma pauperis without prepayment of fees, or a motion seeking relief from

collaborate with the Court to obtain and maintain participating penal institutions under the program.

Participating penal institutions shall be those institutions which CDCR and the Court agree shall

participate in the program. This pilot program is designed to reduce the costs of processing court

filings in civil rights cases brought by incarcerated Plaintiffs pursuant to 42 U.S.C. § 1983. This

Standing Order only applies to initial filings by Plaintiffs which is defined as the complaint, an

this Standing Order or a motion for emergency relief. At a CDCR participating facility, no initial documents will be accepted for filing by the Clerk of the Court unless done pursuant to the Standing Order or the scanning equipment is inoperable for a period longer than forty-eight (48) hours. After the initial filings, all other filings shall be mailed and comply with the Local Rules for the United States District Court for the Eastern District of California. Initial filings from inmate Plaintiffs who reside at participating institutions, not sent through the e-filing procedures, unless those for which the filing fee is paid in full, will be rejected by the Court.¹

Plaintiffs shall provide their complaint and any application to proceed in forma pauperis

Plaintiffs shall provide their complaint and any application to proceed in forma pauperis without prepayment of fees to CDCR in conformity with CDCR's procedures for the electronic filing of initial documents, including any applicable procedures for paying for photocopies. Plaintiffs are required to pay for photocopies according to the applicable CDCR policies and procedures. To facilitate complaint with Federal Rule of Civil Procedure 8(a)(2), complaints shall not exceed twenty-five (25) pages in length. In the event a Plaintiff needs to file a complaint longer than twenty-five (25) pages, he or she must submit a motion demonstrating the grounds for the need to exceed the page limit.

Plaintiff seeks to be excused from electronically filing his complaint because there is no access to the scanning equipment at Sierra Conservation Center. Assuming the validity of Plaintiff's allegations, Plaintiff's motion for to be excused from electronically filing his complaint is GRANTED.

20 IT IS SO ORDERED.

Dated: **May 14, 2021**

UNITED STATES MAGISTRATE JUDGE

¹ Since the e-filing program has no way of collecting filing fees, inmate Plaintiffs who wish or must pay a full filing fee must submit their initial filings through the United States mail.